APPENDIX – ORDER OF THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT DENYING PRE-JUDGMENT INTEREST REQUEST DATED NOVEMBER 29, 2004

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

No. 03-2366

Stanley William Stark, et al.

Appellants,

Sandberg, Phoenix & Von Gontard, P.C., et al.,

Appellees.

Appeal from the United States District Court for the Western District of Missouri

Upon consideration of appellants' motion for post-award interest and appellees' response, the motion for prejudgment interest is denied. The district court's award of post-judgment interest at the rate of 1.55% amount mandated by federal statute and controlling under the circumstances of this case at the present time, is affirmed.

November 29, 2004

Order Entered at the Direction of the Court:
s/ Michael E. Gans
Clerk, U. S. Court of Appeals, Eighth Circuit